

# UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

### NOTICE OF ALLOWANCE AND ISSUE FEE DUE

22M2/1202

ROSENBLATT & REDAND ONE GREENWAY PLAZA SUITE 500 HOUSTON TX 77046

APPLICATION NO.			EXAMINER AND GROUP ART UNIT	2201	DATÉ MAÎLÊD 97
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TITLE OF INVENTION

ATTY'S D	OCKET NO.	CLASS-SUBCLASS	BATCH NO.	,APPLN. TYPE TI	T SMALL ENTUY	FÆÐD⊍E0.00	DATE OUE2/98
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THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY PERIOD CANNOT BE EXTENDED.</u>

#### **HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give application number and batch number.

  Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

PTOL-85 (REV. 10-96) Approved for use through 06/30/99. (0651-0033)



## UNITED STAT≥S DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

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ATTORNEY DOCKET NO. APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT 08/644,889 05/10/96 BAUGH 294BAKE439 EXAMINER 22M2/1202

ROSENBLATT & REDANO ONE GREENWAY PLAZA SUITE 500 HOUSTON TX 77046

PAPER NUMBER 2201 DATE MAILED:

This is a communication from the examiner in charge of your application. COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.
This communication is responsive to amendment filed 11-17-97
The allowed claim(s) is/are 37, 38, and 43 - 46
The drawings filed on are acceptable.
Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
received.
received in Application No. (Series Code/Serial Number)
☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
*Certified copies not received:
Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).
Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
Applicant MUST submit NEW FORMAL DRAWINGS
because the originally filed drawings were declared by applicant to be informal.
Sincluding changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No
including changes required by the proposed drawing correction filed on, which has been approved by the examiner.
including changes required by the attached Examiner's Amendment/Comment.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.
☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.
Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.
Attachment(s)
☐ Notice of References Cited, PTO-892
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s)
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
☐ Notice of Informal Patent Application, PTO-152
Interview Summary, PTO-413  J. Woodlas Illied
Examiner's Amendment/Comment
☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material  ✓ J. WOÜDROW ELDRED  PRIMARY EXAMINER
☐ Examiner's Statement of Reasons for Allowance GROUP 220

Serial Number: 08/644,889 Page 2

Art Unit: 2201

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. This application is in condition for allowance except for the presence of claims to an invention non-elected with traverse in Paper Number 6. Therefore the application has been amended as follows:

Cancel claims 39 and 40.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Woodrow Eldred whose telephone number is (703) 306-4151.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-4177.

November 28, 1997

J. WOODROW ELDRED PRIMARY EXAMINER GROUP 220

Wooden Elbed